

8/5/2019

OPENonline

Oregon Courts Advanced (Real-Time eCourt/Appellate) Name List Screen

Please Note: Do not use the Browser's Back Button.

SEARCH CRITERIA

You Searched For:

Date/Time Searched: 08/05/2019 12:56 PM

Court Location: MARION

Case #: 19CV27285

SEARCH RESULTS

Case Header

Case NO. 19CV27285 Alma Garcia vs Victoria's Secret Stores, LLC, L Brands, Inc.

Case Type: Tort - General

Date Filed: 06/18/2019

Location: Marion

Party Information

Defendant

Name: L Brands, Inc.

Defendant

Name: Victoria's Secret Stores, LLC

Plaintiff

Name: Garcia, Alma

Attorney - Plaintiff - Retained

Name: MICHAEL B DYE

Phone #: 503 581-5562(W)

Event Information

6/18/2019 Complaint

Created: 06/19/2019 1:25 PM

[6/18/2019 Complaint - CM \(4 pages\)](#)

6/18/2019

Service

Victoria's Secret Stores, LLC

Unserved

Created: 06/19/2019 1:25 PM

6/18/2019 Motion

Created: 06/19/2019 1:25 PM

[6/18/2019 Motion - MO \(2 pages\)](#)

6/18/2019 Assignment - Trial Judge (Judicial Officer: Broyles, Audrey J)

emailed atty 6/20 @ 9: 53

Created: 06/19/2019 1:53 PM

8/5/2019

OPENonline

[6/18/2019 Assignment - Trial Judge \(1 page\)](#)

6/18/2019

Service

L Brands, Inc.

Unserved

Created: 07/01/2019 4:32 PM

6/21/2019 Order - Disqualify (Judicial Officer: Prall, Tracy A)

CMB

Signed: 06/21/2019

Created: 06/21/2019 2:08 PM

[6/21/2019 Order - Disqualify \(2 pages\)](#)

6/25/2019 Order (Judicial Officer: Broyles, Audrey J)

Recusal

Signed: 06/25/2019

Created: 06/25/2019 3:15 PM

[6/25/2019 Order \(1 page\)](#)

6/25/2019 Assignment - Trial Judge (Judicial Officer: Armstrong, Sean E)

Created: 06/25/2019 3:53 PM

[6/25/2019 Assignment - Trial Judge \(1 page\)](#)

6/27/2019 Letter (Judicial Officer: Armstrong, Sean E)

emailed with judge assignment 6/27/19

Created: 06/27/2019 11:02 AM

[6/27/2019 Letter \(1 page\)](#)

7/12/2019 Proof - Service

Created: 07/23/2019 7:44 AM

[7/12/2019 Proof - Service \(3 pages\)](#)

7/12/2019 Proof - Service

Created: 07/23/2019 7:44 AM

[7/12/2019 Proof - Service \(3 pages\)](#)**Financial Information**

Plaintiff Garcia, Alma

Total Financial Assessment

560.00

Total Payments and Credits

560.00

Balance Due as of 08/05/2019

0.00

06/19/2019 Transaction Assessment

560.00

06/19/2019 xWeb Accessed eFile Receipt # 2019-557227 Garcia, Alma

(560.00)

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[↑Top of Page](#)

6/18/2019 2:32 PM
19CV27285

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

ALMA GARCIA,)	
)	Case No. 19CV27285
Plaintiff,)	
)	COMPLAINT FOR PERSONAL
vs.)	INJURIES
)	
VICTORIA'S SECRET STORES, LLC, and L)	(Claim not subject to mandatory
BRANDS, INC.,)	arbitration)
)	
Defendant)	CLAIM FOR \$135,000

COMES NOW the Plaintiff, Alma Garcia, by and through her attorney, Michael B. Dye, and alleges as follows:

1.

At all times material herein, Defendant Victoria's Secret Stores, LLC, was a foreign limited liability company authorized to do business in the State of Oregon.

2.

At all times material herein, Defendant L Brands, Inc. was a foreign business corporation authorized to do business in the State of Oregon.

3.

At all times material herein, Defendant Victoria's Secret Stores, LLC, was a subsidiary of Defendant L Brands, Inc.

1 – COMPLAINT

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
PH (503) 581-5562 FAX (503) 588-5895

LAW OFFICES OF
MICHAEL B. DYE
 456 STATE STREET, SUITE 200
 SALEM, OREGON 97301
 PH (503) 581-5562 FAX (503) 588-5895

1 4.

2 At all times material herein, Defendants' owned and operated a Victoria's Secret
 3 store located at Salem Center, 401 N. Center Street, NE, Salem, Oregon.

4 5.

5 On or about June 19, 2017, Plaintiff Alma Garcia was shopping at the Victoria's
 6 Secret store located in the Salem Center when a shelf fell on Plaintiff Alma Garcia causing
 7 injuries as set forth hereafter.

8 6.

9 At the aforementioned time and place, Defendants were negligent in one or more of
 10 the following particulars:

- 11 (a) In failing to properly secure the shelving unit;
- 12 (b) In knowing the shelving unit was not properly secured and failing to use
- 13 reasonable diligence to properly secure the shelving unit; and/or
- 14 (c) In not exercising reasonable diligence to discover the shelving unit was not
- 15 properly secured and properly securing it; and/or
- 16 (d) In failing to advise Plaintiff and other patrons that shelving units were not
- 17 properly secured.
- 18

19 7.

20 As a direct result of Defendants' negligence, Plaintiff sustained the following
 21 permanent injuries:

- 22 (a) A pulling and straining of the tissues, muscles, nerves, and ligaments of her
- 23 neck;
- 24 (b) A pulling and straining of the tissues, muscles, nerves, and ligaments of her
- 25 back;
- 26

2 – COMPLAINT

LAW OFFICES OF
MICHAEL B. DYE
 456 STATE STREET, SUITE 200
 SALEM, OREGON 97301
 PH (503) 581-5562 FAX (503) 588-5895

- (c) A pulling and straining of the tissues, muscles, nerves, and ligaments of her shoulders;
- (d) Chronic right shoulder pain;
- (e) Left leg pain;
- (f) Right wrist/hand pain;
- (g) Right median neuropathy at the wrist;
- (h) Right elbow pain;
- (i) Right ulnar neuropathy at the elbow;
- (j) Right arm pain and numbness;
- (k) Left buttock pain;
- (l) Bruising to left hip;
- (m) Headaches; and
- (n) Mental and physical pain and suffering.

8.

As a direct result of Defendant's negligence, Plaintiff has incurred gross reasonable and necessary hospital and medical expenses in the amount of \$35,000 to her economic damage.

9.

As a direct result of Defendant's negligence, Plaintiff has incurred loss of wages in an amount to be determined at trial.

10.

As a result of Defendant's negligence, Plaintiff has sustained non-economic damages in the sum of \$100,000.

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

3 – COMPLAINT

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
PH (503) 581-5562 FAX (503) 588-5895

- 1 (a) Total economic damages in the sum of \$35,000;
- 2 (b) Non-economic damages in the sum of \$100,000; and
- 3 (c) Plaintiff's costs and disbursements.

4 LAW OFFICES MICHAEL B. DYE

5
6 s/ Michael B Dye
7 Michael B. Dye, OSB #700423
8 Of Attorneys for Plaintiff
9 michaelbdye@yahoo.com
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4 – COMPLAINT

6/18/2019 2:32 PM
19CV27285

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

ALMA GARCIA,

Plaintiff,

vs.

VICTORIA'S SECRET STORES, LLC, and L
BRANDS, INC.,

Defendants.

Case No. 19CV27285

PLAINTIFF'S MOTION TO
DISQUALIFY JUDGE CLAUDIA
M. BURTON

Alma Garcia, the Plaintiff, by and through her attorney Michael B. Dye, moves the Court for an order for disqualification of Judge, removing the Honorable Claudia M. Burton from these proceedings.

This motion is based upon the provisions of ORS 14.210 through 14.270 and the declaration of Michael B. Dye attached hereto.

Dated this 18th day of June, 2019

LAW OFFICES MICHAEL B. DYE

s/ Michael B Dye

Michael B. Dye, OSB #700423
Of Attorneys for Plaintiff
michaelbdye@yahoo.com

1 – MOTION TO DISQUALIFY JUDGE

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
PH (503) 581-5562 FAX (503) 588-5895

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

ALMA GARCIA,

Plaintiff,

vs.

VICTORIA'S SECRET STORES, LLC, and L
BRANDS, INC.,

Defendants.

Case No. 19CV27285

DECLARATION OF MICHAEL B. DYE
IN SUPPORT OF PLAINTIFF'S
MOTION TO DISQUALIFY JUDGE
CLAUDIA M. BURTON

I, Michael B. Dye, attorney for Plaintiff Alma Garcia, do declare as follows:

I believe that the Plaintiff cannot have a fair proceeding before the Honorable
Claudia M. Burton.

I make this declaration in support of the motion to disqualify Judge Claudia M.
Burton.

I hereby declare that the above statement is true to the best of my knowledge and
belief, and that I understand it is made for use as evidence in court and is subject to penalty
for perjury.

Dated this 18th day of June, 2019

LAW OFFICES MICHAEL B. DYE

s/ Michael B Dye

Michael B. Dye, OSB #700423
Of Attorneys for Plaintiff
michaelbdye@yahoo.com

1 – DECLARATION OF MICHAEL B DYE IN SUPPORT OF PLAINTIFF'S MOTION
TO DISQUALIFY JUDGE

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
PH (503) 581-5562 FAX (503) 588-5895



THIRD JUDICIAL DISTRICT
MARION COUNTY CIRCUIT COURT

STATE OF OREGON
Marion County Circuit Courts

JUN 18, 2019

Read carefully. If you do not comply with the following, your case will be dismissed.

Garcia

v. Victoria's ~~Secret~~ Stores LLC; All others

Case Number:

19CV27285

Date:

6-18-19

THIS CASE HAS BEEN ASSIGNED TO:

- | | |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Judge Donald D. Abar
(503) 585-4939 | <input type="checkbox"/> Judge Thomas M. Hart
(503) 584-7749 |
| <input type="checkbox"/> Judge Sean E. Armstrong
(503) 588-5026 | <input type="checkbox"/> Judge Mary M. James
(503) 373-4303 |
| <input type="checkbox"/> Judge Channing Bennett
(503) 588-7950 | <input type="checkbox"/> Judge David E. Leith
(503) 588-5160 |
| <input checked="" type="checkbox"/> Judge Audrey J. Broyles
(503) 588-5492 | <input type="checkbox"/> Judge Lindsay R. Partridge
(503) 588-5028 |
| <input type="checkbox"/> Judge Claudia M. Burton
(503) 584-7713 | <input type="checkbox"/> Judge Cheryl A. Pellegrini
(503) 566-2974 |
| <input type="checkbox"/> Judge Daniel J. Wren
(503) 588-8485 | <input type="checkbox"/> Judge Tracy A. Prall
(503) 588-5030 |
| <input type="checkbox"/> Judge Courtland Geyer
(503) 373-4445 | <input type="checkbox"/> Judge Susan M. Tripp
(503) 373-4361 |

If a party served with a summons intends to contest this matter, that party must file a response, or other appearance, as instructed in the summons.

To change judges, a party must notify the court by 5pm on the day they receive this notice. Contact the court for a notice form. The party must then file a motion and affidavit with the court no later than 5pm on the next judicial day. ORS 14.260(4) and 14.270.

A status conference will be set after the party served has filed an appearance. All attorneys must appear at the status conference with their calendars. If parties do not have legal representation, they are to appear at the status conference.

If the Plaintiff has not filed a Return or Acceptance of Service by the 63rd day after the filing of the complaint, the case may be dismissed for want of prosecution 28 days later. If proof of service is filed by the 91st day from the filing of the complaint, and no default is later filed, the case will be dismissed 119 days from the date of the filing of the complaint.

Follow these instructions carefully and refer to the Uniform Trial Court Rules for further information or clarification. All correspondence or other communication shall be directed to the assigned Judge at the following address: Marion County Circuit Court, PO Box 12869, Salem, Oregon 97309-0869.



Assignment following standard procedure.



Random assignment following the standard procedure.



Random assignment at the request of: _____

19CV27285

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

ALMA GARCIA,)	
)	Case No. 19CV27285
Plaintiff,)	
)	ORDER DISQUALIFYING JUDGE
vs.)	CLAUDIA M. BURTON
)	
VICTORIA'S SECRET STORES, LLC, and L)	
BRANDS, INC.,)	
)	
Defendants.)	

Based upon Plaintiff's Motion to Disqualify Judge Claudia M. Burton submitted by the attorney for the Plaintiff thereto:

IT IS ORDERED, that the Honorable Claudia M. Burton is disqualified and is removed from the above-referenced case.

Signed: 6/21/2019 10:36 AM



Circuit Court Judge Tracy A. Prall

Presented by:
Michael B. Dye OSB#700423
Attorney for Plaintiff
(503) 581-5562
(503) 558-5895/fax
michaelbdye@yahoo.com

1 – ORDER DISQUALIFYING JUDGE

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
PH (503) 581-5562 FAX (503) 558-5895

1 CERTIFICATE OF READINESS

2 The proposed order is ready for judicial signature because service is not required
 3 pursuant to subsection (3) of this rule, or by statute, rule, otherwise. Pursuant to ORCP 9,
 4 Defendant is not required to be served because Defendant has not provided Plaintiff with a
 5 written notice of intent to appear or filed an appearance in this case.

6 Dated this 18th day of June, 2019

8 LAW OFFICES MICHAEL B. DYE

9
 10 s/ Michael B Dye

11 Michael B. Dye, OSB #700423

12 Of Attorneys for Plaintiff

13 michaelbdye@yahoo.com

LAW OFFICES OF
 MICHAEL B. DYE
 456 STATE STREET, SUITE 200
 SALEM, OREGON 97301
 PH (503) 581-5562 FAX (503) 588-5895

14
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 2 – ORDER DISQUALIFYING JUDGE

Verified Correct Copy of Original 6/25/2019.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION
100 High St. NE Salem Oregon 97301



Case No: 19CV27285

Alma Garcia

Plaintiff

v.

ORDER OF RECUSAL

Victoria's Secret Stores, LLC; L Brands, Inc.

Defendant

I hereby recuse myself from service as a judicial officer on this case and any of its proceedings for the following reason:

- ☒ conflict
- ☐ financial interest in the outcome
- ☐ personal knowledge
- ☐ other reason

June 25, 2019

Ausey J. Beys



THIRD JUDICIAL DISTRICT
MARION COUNTY CIRCUIT COURT



Read carefully. If you do not comply with the following, your case will be dismissed.

Case Number: Garcia
19CV27285

v. Victoria's Secret
Date: 6/25/19

THIS CASE HAS BEEN ASSIGNED TO:

- | | |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Judge Donald D. Abar
(503) 585-4939 | <input type="checkbox"/> Judge Thomas M. Hart
(503) 584-7749 |
| <input checked="" type="checkbox"/> Judge Sean E. Armstrong
(503) 588-5026 | <input type="checkbox"/> Judge Mary M. James
(503) 373-4303 |
| <input type="checkbox"/> Judge Channing Bennett
(503) 588-7950 | <input type="checkbox"/> Judge David E. Leith
(503) 588-5160 |
| <input type="checkbox"/> Judge Audrey J. Broyles
(503) 588-5492 | <input type="checkbox"/> Judge Lindsay R. Partridge
(503) 588-5028 |
| <input type="checkbox"/> Judge Claudia M. Burton
(503) 584-7713 | <input type="checkbox"/> Judge Cheryl A. Pellegrini
(503) 566-2974 |
| <input type="checkbox"/> Judge Daniel J. Wren
(503) 588-8485 | <input type="checkbox"/> Judge Tracy A. Prall
(503) 588-5030 |
| <input type="checkbox"/> Judge Courtland Geyer
(503) 373-4445 | <input type="checkbox"/> Judge Susan M. Tripp
(503) 373-4361 |

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To change judges, a party must notify the court by 5pm on the day they receive this notice. Contact the court for a notice form. The party must then file a motion and affidavit with the court no later than 5pm on the next judicial day. ORS 14.260(4) and 14.270.

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Follow these instructions carefully and refer to the Uniform Trial Court Rules for further information or clarification. All correspondence or other communication shall be directed to the assigned Judge at the following address: Marion County Circuit Court, PO Box 12869, Salem, Oregon 97309-0869.

- ☒ Assignment following standard procedure.
☐ Random assignment following the standard procedure.
☐ Random assignment at the request of: _____



Verified Correct Copy of Original 6/27/2019.

ACCOUNTING
588-5601
CLERK'S OFFICE
588-5105
COURT ADMINISTRATION
588-5368
DISPUTE RESOLUTION
SERVICES
588-7988 Fax 589-3224
JURY MANAGEMENT
588-5371
PROBATE
588-5141
RECORDS
588-5101



CRIMINAL COURT
4000 Aumsville Hwy
Fax 588-6822 TTY 588-6820
JUDICIAL STAFF
588-8484
588-8485
CLERK'S OFFICE
588-8489
RELEASE OFFICE
588-8560

JUVENILE COURT
3030 Center St NE
Fax 361-2676 TTY 585-4946
373-3777

**CIRCUIT COURT
THIRD JUDICIAL DISTRICT**

Marion County Courthouse
100 High St NE
PO Box 12869
Salem, OR 97309-0869
Fax 373-4360 TTY 373-4444

June 27, 2019

Michael Dye
via email only

Re: Case name: *Garcia v Victoria's Secret Stores, LLC, et al*
Marion County Case No.: 19CV27285

Dear Counsel:

Our records show your Complaint was filed on June 18, 2019.

I write to make you aware of the following deadlines:

- August 20, 2019: Plaintiff must perfect service on all defendants.
- September 17, 2019: Plaintiff must compel all defendants to appear.

In accord with UTCR 7.020, the court will issue 28-day notices of dismissal as a reminder to perfect service and compel defendants to appear. Once all defendants have appeared, the court will set a trial date within a year of the filing date as required by UTCR 7.020(5).

While I certainly welcome the extension of professional courtesies among counsel where appropriate, I also encourage you to compel all defendants to appear and to initiate the discovery process early enough that you will be able to complete discovery and any alternative dispute resolution you may wish to pursue in advance of the one-year deadline for trial. The court generally does not grant trial postponement motions for failure to complete discovery or to pursue alternative dispute resolution except under extraordinary circumstances.

Once all defendants have appeared, the court will schedule a case management hearing. In the meantime, Judicial Assistant Tracy Chance and Clerk Lee Gilliard are both available at (503) 588-5026 to answer any procedural questions you may have.

Sincerely,

Honorable Sean E. Armstrong

SEA/tmc

FC(3/23/15)



MARION COUNTY SHERIFF'S OFFICE

JASON MYERS, SHERIFF

MARION COUNTY CIRCUIT COURT

STATE OF OREGON
County of Marion

)
) ss.
)

Court Case/DA # : 19CV27285

CSP Case # :

Sheriff's Case #: 1903125



Sheriff's Return of Service

I hereby certify that I served the within SUMMONS & COMPLAINT within the said State and County at 2:50 PM on the 10th day of July, 2019, on the within named L BRANDS, INC, by delivering a true copy to RYLYNN POOLE WITH CT CORPORATION, REGISTERED AGENT at 780 COMMERCIAL ST SE STE 100, SALEM in the State of Oregon.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Jason Myers, Sheriff
Marion County, Oregon

By BRIAN N. WALLACE

CHIEF CIVIL DEPUTY

By 

Fee: \$45.00

19CV27285
PRSV
Proof - Service
11400316



In the _____ CIRCUIT _____ Court of the State of Oregon

for the County of _____ MARION _____

ALMA GARCIA,

vs.

Plaintiff

VICTORIA'S SECRET STORES, LLC, and
L BRANDS, INC.,

No. 19CV27285

SUMMONS

CT CORPORATION, Registered Agent
L Brands, Inc.

Defendant

780 Commercial Street SE, Suite 100
Salem, OR 97301

Defendant

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately.

SIGNATURE OF OREGON RESIDENT ATTORNEY

MICHAEL B. DYE OSB#70042
456 State Street, Suite 200

TYPE OR PRINT NAME OF RESIDENT ATTORNEY

Salem, OR 97301
(503) 581-5562

STATE OF OREGON;

County of _____ Marion _____

} ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

Post office address at which papers in the above entitled action may be served by mail.

ATTORNEY(S) FOR PLAINTIFF(S)

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
TELEPHONE (503) 581-5562

FORM No. 190—CIRCUIT OR DISTRICT COURT SUMMONS

PROOF OF SERVICE

Verified Correct Copy of Original 7/23/2019

STATE OF _____ }
 County of _____ } ss.

I hereby certify that I made service of the foregoing summons upon the individuals and other legal entities to be served, named below, by delivering or leaving true copies of said summons and the complaint mentioned therein, certified to be such by the attorney for the plaintiff, as follows:

Personal Service Upon Individual(s)

Upon _____, by delivering such true copy to him/her, personally and in person, _____, on _____, 19____, at _____ o'clock ____M.

Upon _____, by delivering such true copy to him/her, personally and in person, _____, on _____, 19____, at _____ o'clock ____M.

Substituted Service Upon Individual(s)**

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, who is a person over the age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, who is a person over the age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Office Service Upon Individual(s)**

Upon _____, at the office which he/she maintains for the conduct of business at _____, by leaving such true copy with _____, the person who is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock, ____M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by _____, (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to _____ who is a/the * _____ thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the * _____ thereof;

*Specify registered agent, officer (by title), director, general partner, managing agent.

at _____, on _____, 19____, at _____ o'clock ____M.

DATED _____, 19____.

SHERIFF

By _____
 DEPUTY

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise; that the person, firm or corporation served by me is the identical person, firm or corporation named in the action.
 DATED _____, 19____.

SIGNATURE

TYPE OR PRINT NAME

The signature line on the left should be used only by a sheriff or deputy of a county in Oregon; all other servers complete certificate on the right.

The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service on a minor or incompetent person. See ORCP 7D. (2) and 7 D. (3) for complete service methods on particular parties.

** Where substituted or office service is used, the plaintiff, as soon as reasonably possible, shall cause to be mailed a true copy of the summons and complaint to the defendant at the defendant's dwelling house or usual place of abode, together with a statement of the time, date and place at which such service was made. Use SN Form No. 1149 or equivalent.



MARION COUNTY SHERIFF'S OFFICE

JASON MYERS, SHERIFF

MARION COUNTY CIRCUIT COURT

STATE OF OREGON
County of Marion

)
) ss.
)

Court Case/DA # : 19CV27285

CSP Case # :

Sheriff's Case #: 1903124



Sheriff's Return of Service

I hereby certify that I served the within SUMMONS AND COMPLAINT within the said State and County at 2:50 PM on the 10th day of July, 2019, on the within named VICTORIA'S SECRET STORES LLC, by delivering a true copy to RYLYNN POOLE WITH CT CORPORATION, REGISTERED AGENT at 780 COMMERCIAL ST SE STE 100, SALEM in the State of Oregon.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Jason Myers, Sheriff
Marion County, Oregon

By BRIAN N. WALLACE

CHIEF CIVIL DEPUTY

By *Brian N. Wallace*

Fee: \$45.00

19CV27285
PRSV
Proof - Service
11400317



Verified Correct Copy of Original 7/23/2019

In the _____ CIRCUIT _____ Court of the State of Oregon

for the County of _____ MARION _____

ALMA GARCIA,

vs.

Plaintiff

No. 19CV27285

VICTORIA'S SECRET STORES, LLC, and
L BRANDS, INC.,

SUMMONS

Defendant

To CT CORPORATION, Registered Agent

Victoria's Secret Stores, LLC

780 Commercial Street SE, Suite 100

Salem, OR 97301

Defendant

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately.

SIGNATURE OF OREGON RESIDENT ATTORNEY

MICHAEL B. DYE OSB#70042
456 State Street, Suite 200

TYPE OR PRINT NAME OF RESIDENT ATTORNEY

Salem, OR 97301
(503) 581-5562

STATE OF OREGON;

County of Marion } ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

Post office address at which papers in the above entitled action may be served by mail.

ATTORNEY(S) FOR PLAINTIFF(S)

LAW OFFICES OF
MICHAEL B. DYE
456 STATE STREET, SUITE 200
SALEM, OREGON 97301
TELEPHONE (503) 581-5562

FORM No. 190—CIRCUIT OR DISTRICT COURT SUMMONS

PROOF OF SERVICE

Verified Correct Copy of Original 7/23/2019

STATE OF _____ }
 County of _____ } ss.

I hereby certify that I made service of the foregoing summons upon the individuals and other legal entities to be served, named below, by delivering or leaving true copies of said summons and the complaint mentioned therein, certified to be such by the attorney for the plaintiff, as follows:

Personal Service Upon Individual(s)

Upon _____, by delivering such true copy to him/her, personally and in person,
 at _____, on _____, 19____, at _____ o'clock ____M.
 Upon _____, by delivering such true copy to him/her, personally and in person,
 at _____, on _____, 19____, at _____ o'clock ____M.

Substituted Service Upon Individual(s)**

Upon _____, by delivering such true copy at his/her dwelling house
 or usual place of abode, to-wit: _____,
 to _____, who is a person over the
 age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.
 Upon _____, by delivering such true copy at his/her dwelling house
 or usual place of abode, to-wit: _____,
 to _____, who is a person over the
 age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Office Service Upon Individual(s)**

Upon _____, at the office which he/she maintains for the conduct of
 business at _____,
 by leaving such true copy with _____, the person who
 is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock, ____M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by
 (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to _____, who is a/the
 * _____ thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the
 office of _____, who is a/the * _____ thereof;

*Specify registered agent, officer (by title), director, general partner, managing agent.

at _____, on _____, 19____, at _____ o'clock ____M.

DATED _____, 19____

SHERIFF

By _____
 DEPUTY

I further certify that I am a competent person 18 years of age or older and
 a resident of the state of service or the State of Oregon, and that I am not
 a party to nor an officer, director or employee of, nor attorney for any
 party, corporate or otherwise; that the person, firm or corporation served
 by me is the identical person, firm or corporation named in the action.
 DATED _____, 19____

SIGNATURE

TYPE OR PRINT NAME

The signature line on the left should be used only by a sheriff or deputy of a county in Oregon; all other servers complete certificate on the right.

The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service on a minor or incompetent person. See ORCP 7D. (2) and 7 D. (3) for complete service methods on particular parties.

** Where substituted or office service is used, the plaintiff, as soon as reasonably possible, shall cause to be mailed a true copy of the summons and complaint to the defendant at the defendant's dwelling house or usual place of abode, together with a statement of the time, date and place at which such service was made. Use SN Form No. 1149 or equivalent.